

THE MORAY COUNCIL

MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE

TUESDAY 7 DECEMBER 2010

COUNCIL OFFICE, ELGIN

PRESENT

Councillors E. McGillivray (Chair), J.S. Cree, J. Hogg, B. Jarvis, G. Leadbitter, M. McConachie, J. Mackay, F. Murdoch, I. Ogilvie, J. Russell, J. Sharp, R. Shepherd and D. Stewart

ALSO PRESENT

Councillors D. Ross (in respect of Item 5), A. McDonald, G. McDonald and A. Wright (ex-officio)

IN ATTENDANCE

Head of Housing and Property, Home Improvements Services Manager, Housing Needs Manager, Housing Services Manager, Housing Strategy & Policy Manager, Principal Solicitor (Litigation & Licensing) (in respect of Item 5), Mr G Roberston, Trainee Solicitor (in respect of Item 5), Fairer Scotland Fund Manager, Corporate Policy Unit Manager, Community Planning & Development Manager, Equal Opportunities Officer, Mrs D O'Shea, Principal Accountant, Mrs A. Scott, Principal Solicitor (Commercial & Conveyancing) and Mrs C. Carswell, Committee Services Officer as Clerk to the meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 the meeting noted that there were no declarations from group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the Agenda.

2. EXEMPT INFORMATION

The Meeting agreed, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the Meeting during consideration of the Items of Business appearing at the relevant paragraphs of this Minute as specified below so as to avoid disclosure of exempt information of the class described in the appropriate paragraph of Part I of Schedule 7A of the Act.

Para No. of Minute

Para No. of Schedule 7A

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3. WRITTEN QUESTIONS

The Committee noted that no written questions had been submitted.

4. NOTICE OF MOTION

There was submitted a Notice of Motion by Councillor B Jarvis and Councillor D Stewart asking "That this Council supports the SFHA's "Housing Benefits: The campaign for a fairer system" campaign in its attempts to highlight the significant impact that the proposed changes to the Housing Benefit could have on RSL's, Councils and tenants all across Scotland and the UK."

As an amendment Councillor McGillivray, seconded by Councillor Hogg moved that more information was required on the matter before a decision could be taken and it should be referred either to Full Council or Policy & Resources Committee.

On a division there voted:-

For the motion (6):- Councillors Jarvis, Leadbitter, McConachie, Ogilvie, Sharp and Stewart

For the amendment (7):- Councillors Cree, Hogg, Mackay, McGillivray, Murdoch, Russell and Shepherd.

Abstentions (0)

Accordingly the amendment became the finding and the Committee agreed that more information was required before a decision could be taken on the matter and it be referred either to Full Council or Policy & Resources Committee

5. HALTING SITES FOR GYPSIES / TRAVELLERS

There was submitted a report by the Director of Community Services providing the Committee with a detailed report on the recent consultation exercise carried out on the proposed location of two gypsy/traveller halting sites in Moray and asking the Communities Committee to consider the responses received in the consultation process and to refer the matter to the Council meeting on 10 February 2011 to consider the financial implications.

The Chair thanked everyone for their input to the consultation process whether it was online, at the surgeries or the public meetings. Presentations were made to the Communities Committee by Lennox Community Council, Rathven & Arradoul Community Council, Buckie Area Forum, Forres Community Council and Forres Area Forum. There were also petitions submitted objecting to the sites at Kingsmeadow, Forres and Arradoul. The Chair also thanked staff for their work in facilitating the consultation process.

Councillor McGillivray, seconded by Councillor Mackay moved not to apply for planning permission for halting sites at Arradoul or Kingsmeadow in Forres.

On the invitation of the Chair, Councillor G. McDonald, D. Ross and A. McDonald took the opportunity to address the Committee with their concerns on the proposals.

As an amendment Councillor Stewart, seconded by Councillor Ogilvie moved that no further action be taken with regard to the two proposed halting sites in Arradoul and Kingsmeadow, Forres because of major concerns regarding road safety at both sites and also because of the financial cost needed on this non statutory requirement.

Mrs Scott, Principal Solicitor (Commercial & Conveyancing) advised that if a planning application were to be considered in the future for either of these sites or any other site, road safety would be looked at in full detail at that time however there was no problem with the amendment which was put forward by Councillor Stewart giving one of the reasons for rejecting the sites at this stage as the significant road safety concerns, on which the public and members have expressed concerns.

Thereafter Councillor McGillivray agreed to withdraw his motion and the Committee agreed that no further action be taken with regard to the two proposed halting sites in Arradoul and Kingsmeadow, Forres because of major concerns regarding road safety at both sites and also because of the financial cost needed on this non statutory requirement.

On conclusion of this item Councillors D. Ross, G. McDonald and A. McDonald left the meeting.

6. PRESSURED AREA STATUS – RENEWAL AND EXPANSION

There was submitted a report by the Director of Community Services providing the Committee with evidence to support the case for further applications for pressured area status in Moray.

Following consideration the Committee agreed:-

- (i) to note the evidence provided in this report in support of further Pressured Area Status (PAS) designations in Moray; and
- (ii) that Officers would present further information on PAS following the publication of revised Scottish Government Guidance relating to new provisions contained in the Housing (Scotland) Bill 2010.

7. COMMON HOUSING REGISTER

Councillor G. McDonald re-entered the meeting at this juncture.

There was submitted a report by the Director of Community Services presenting progress in developing a Common Housing Register (CHR) for Moray.

Councillor Leadbitter stated that he was disappointed that there were no reasons contained within the report as to why the costs had escalated and the reasons for the delay in the timescales. He suggested that although it was a shared service with Aberdeenshire Council it should be scrutinised by the Audit & Performance Committee and that the Communities Committee members be copied into any report to that Committee.

Following consideration the Committee agreed to:

- (i) note the progress report;
- (ii) note that a date for implementing the CHR across all partners will be finalised once the integration work by Aberdeenshire Council and Moray Council has been completed; and
- (iii) note that a demonstration of the new CHR would be arranged for Committee at a suitable date in 2011 prior to the system going live.

8. SINGLE EQUALITY SCHEME

There was submitted a report by the Chief Executive asking Committee to approve the revised Easy-read version of the Single Equality Scheme.

In response to questions from Councillor Murdoch regarding which committee equalities sits under, within the document Councillors should be referred to as Councillors not elected members and the definition of "Positive Action" on Page 17 of the report, the Corporate Policy Unit Manager advised that equalities does sit under the Communities Committee, investigations would take place with Enable whether they were happy to change the wording of elected members to Councillors and the definition of "Positive Action".

Thereafter, the Committee agreed to approve the revised Easy-read version of the Single Equality Scheme subject to amendments to reflect that equality was within the remit of Communities Committee, investigation with Enable Scotland as to whether they were happy to change the wording of Elected Members to Councillors and investigate the definition of "positive action" as noted on Page 17 of the report.

At this juncture, Councillor A. McDonald re-entered the meeting.

9. SCOTTISH INDEX OF MULTIPLE DEPRIVATION (SIMD)

There was submitted a report by the Chief Executive seeking approval of researching perceptions of poverty and deprivation in Moray through facilitated discussion, instead of using an electronic survey.

In response to concerns from Councillors regarding the over-ruling of a decision of Policy & Resources Committee, Mrs Scott, Principal Solicitor (Commercial & Conveyancing) advised that the consultation process had been agreed by the Policy &

Resources Committee but due to a change of remit, the Fairer Scotland Fund was now within Communities Committee but if Councillors were concerned then the report could be deferred to the Policy & Resources Committee.

Mrs O'Shea, Principal Accountant advised that the Fairer Scotland Fund would cease in March 2011 therefore time may be an issue.

Following consideration, the Committee agreed that the circumstances set out in Section 3 of the report represented a relevant and material change in circumstances and agreed to suspend Standing Orders and approve a facilitated discussion for Councillors and community leaders to look at a greater understanding of deprivation in communities with Policy & Resources Committee being asked to homologate the decision on the 18th January 2011.

10. HOUSING QUARTERLY PERFORMANCE REPORT 2ND QUARTER 2010/11

There was submitted a report by the Director of Community Services outlining the performance of the Housing Service for the period 1 June to 30 September 2010.

Following consideration the Committee agreed to:-

- (i) note the performance outlined in the report; and
- (ii) note the actions being taken to seek improvements where required.

11. HOUSING INVESTMENT 2010/11

There was submitted a report by the Director of Community Services informing the Communities Committee of the position to 30 September 2010 for the Housing Investment Programme for 2010/11.

Following consideration the Committee agreed to note the position as at 30 September 2010 with regards to the Investment Programme for 2010/11.

12. HOUSING BUDGET MONITORING – 2010/11

There was submitted and noted a report by the Director of Community Services presenting budget monitoring for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period to 30 September 2010.

The Head of Housing & Property advised that there had been an impact on the budget since writing the report due to the adverse weather and this would be monitored if the current weather continues. She also highlighted to Committee that for the first time there were reductions in the usage of bed & breakfast accommodation.

Councillor Wright asked that the conclusion at 9.2 of the report be included in the recommendation.

Thereafter, following consideration the Committee agreed to:

- (i) note the budget monitoring report for the period to 30 September 2010 and that within General Services Housing Budgets, there were initial indications that the pressure on homelessness budgets was being contained within budgetary provision; and
- (ii) note the projected outturn for 2010/11.

Councillor Hogg left the meeting at this juncture.

13. HOUSING INSPECTION – IMPROVEMENT PLAN PROGRESS

There was submitted a report by the Director of Community Services informing Committee, following the Scottish Housing Regulator's inspection of the Council's housing services in 2008 and publication of the inspection report in January 2009, the Committee agreed an Improvement Plan in response to the issues raised. The report presented the third six monthly progress report on the plan.

The meeting noted that the feasibility study regarding Bishopmill House had encountered delays due to competing demands but that it would be completed before the festive holidays and submitted to the Corporate Management Team in January. There were now a wide range of data available and the homeless team were reconsidering the priorities in terms of prevention, alternatives to bed & breakfast etc now that the information were being used in a more effective manner. With regard to the possible RAF base closures and whether accommodation may be available, the Head of Housing & Property advised that it was too early to say whether or not the RAF accommodation would form any part of the landscape for the Council in terms of providing temporary accommodation.

Following consideration the Committee agreed to:

- (i) note the progress report;
- (ii) note that this report would be considered by the Housing Sub Committee and Audit and Performance Review Committee in January 2011; and
- (ii) note that a draft of the report to be submitted to the Scottish Housing Regulator and would be presented to this Committee in March 2011.

14. QUESTION TIME

In response to a question from Councillor Murdoch regarding the recent loss of the Rural Housing Enabler, what service was being provided by the rural housing service until the end of their contact in March/April as normally, a workplan was provided as to what was being done for rural areas but nothing had been received since the occupant of the post left, the Head of Housing & Property advised that there had been meetings

between housing and the rural housing service staff. The service, at present, was being provided through the rural housing service and draw on the experience of their employee in Aberdeenshire. She confirmed that an updated workplan would be provided to the advisory group.

15. REVIEW OF MORAY CARE AND REPAIR PROJECT – INTERIM REPORT [Para 8]

There was submitted a report by the Director of Community Services providing a progress report on the review of the Moray Care and Repair project which was scheduled for completion during 2010/11 which considered the implications for the Moray Care & Repair project of the potential of reduced funding for home improvement and repairs grants resulting from budget options contained in Financial Strategy and Budget consultation for 2011/12 and consider options for the future delivery of the services provided by the project.

The Head of Housing & Property advised that she would discuss with the Chief Executive and Chief Financial Officer how the Moray Care and Repair Project Review would be best fed into the budget process.

Following consideration the Committee agreed:-

- (i) to note the review progress achieved to date;
- (ii) to note the review findings to date;
- (iii) that Officers further investigate options 2 & 3 as outlined in Section 7 of the report; and
- (iv) that a further report be reported to the next Committee meeting on 1 March 2011.

16 FOLLOWING THE PUBLIC POUND [Para 8]

There was submitted a report by the Director of Community Services informing the Communities Committee of the current status of Service Level Agreements in terms of funding levels for 2010/11.

Following consideration the Committee agreed to approve the service level agreements and the funding levels that have been negotiated and detailed in Appendix I of the report.

17. DESIGNING BETTER SERVICES – CHANGE MANAGEMENT PLAN – TRANCHE 2 (HOUSING AND PROPERTY) [Para 1]

There was submitted a report by the Director of Community Services informing the Committee of the Change Management Plan for Tranche 2 (Housing and Property

Services) of the Designing Better Services (DBS) Programme. It was presented to the Communities Committee for its interest, given the responsibilities of the committee in relation to the Council's housing functions.

Following consideration the Committee agreed to note:-

- (i) the change proposals to be subject to formal staff consultation from 18 November to 16 December 2010;
- (ii) that the proposals will achieve maximum net savings of £342k;
- (iii) that a further report would be presented to the Policy and Resources Committee on 18 January 2011 on the outcome of the consultation process.

On behalf of the Committee, the Chair thanked the Head of Housing & Property on her hard work in this respect.

18. BUILDING SERVICES TRADING OPERATION BUDGET 2010/11 (BUDGET MONITORING) [Para 9]

There was submitted and noted a report by the Director of Community Services presenting the budget monitoring information for the period to 30 September 2010 for the Building Services Trading Operation.